

Janine Jasso
P.O. Box 370161
El Paso, TX 79937
E-Mail: j9_jasso@yahoo.com
Plaintiff, IN PRO PER

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

In Re: JAMIE LYNN GALLIAN

CASE NO. 8:21-bk-11710-ES

Chapter 7

Adversary No. 8:21-ap-01096-ES

JANINE JASSO, an individual,
Plaintiff.

**MOTION TO CONTINUE PRE-TRIAL
CONFERENCE AND OTHER DATES;
DECLARATION OF JANINE JASSO IN
SUPPORT THEREOF**

JAMIE LYNN GALLIAN, an individual; J-PAD, LLC, a California Limited Liability Company, J-Sandcastle Co LLC, a California Limited Liability Company, and DOES 1 through 100, inclusive.

Defendants.

Current Pre-Trial Conference

Hearing: July 14, 2022
Time: 9:30 a.m.
Courtroom: 5A

New Pre-Trial Conference

Hearing: TBD
Time: 9:30 a.m.
Courtroom: 5A¹

¹ To continue to aid in the mitigation of the spread of the COVID-19 virus and in light of the response of the Bar to continue virtual appearances, Judge Smith will continue to hold the majority of her hearings remotely using ZoomGov audio and video. However, beginning September 1, 2021, Judge Smith will allow the option for in-person hearings and/or hybrid proceedings for trial and evidentiary hearings only.

1 TO THE HONARABLE ERITHE A. SMITH, UNITED STATES BANKRUPTCY JUDGE,
2 DEFENDANT AND HER AND TO ALL PARTIES ENTITLED TO RECEIVE NOTICE:
3 This Motion to Continue Pre-Trial Conference and Other Dates (the “Motion”) is filed by
4 Plaintiff, Janine Jasso (“Plaintiff”). This Motion is made with reference to the following
5 recitals:
6

7 1. On or about July 9, 2021, Jamie Lynn Gallian (“Debtor”) filed a voluntary petition
8 under Chapter 7 of the Bankruptcy Code.

9 2. Plaintiff timely filed a First Amended Complaint (the “Complaint”) in the
10 above captioned adversary proceeding on November 16, 2021 (the “Adversary Proceeding”).

11 3. The Adversary Proceeding was commenced pursuant to Rules 7001(4) and (6) of
12 the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 523(a)(7) and (a)(2)(A) and
13 727(a)(3), (a)(4), and (a)(5).

14 4. On December 10, 2021, Debtor filed her answer to the Complaint [Docket No.
15 13].

16 5. On December 17, 2021, Debtor filed answers to the Complaint on behalf of the
17 additional defendants, J-Sandcastle Co LLC and J-Pad, LLC.[Docket Nos. 15, 16, 17 and 18].

18 6. Plaintiff has been doing discovery, but is currently waiting for responses to
19 discovery requests from government offices. Plaintiff believes that the requested documents
20 may be provide in the next few weeks.

21 7. Plaintiff learned that the convicted Debtor was recently deposed by another
22 creditor, Houser Bros Co. Plaintiff was unable to depose Debtor due to the fact that she is
23 dangerous and restrained from all contact with Plaintiff per several court-ordered restraining
24 orders. Plaintiff needs to obtain and review a copy of the deposition transcript from the Houser
25 Bros v. Gallian adversary case, which will take some time.
26
27

8. Plaintiff learned that the Debtor has recently testified in other California Superior Court cases. Plaintiff has requested discoverable documents from those cases and court-reporter's transcripts. Plaintiff believes these documents will be provided to Plaintiff in the next four-five weeks.

9. The convicted Debtor has not filed any pre-trial conference statements.

10. Plaintiff requests continuance of the pre-trial conference for sixty (60) days or as the Court deems appropriate to allow Plaintiff to complete.

WHEREFORE, based on the foregoing recitals, Plaintiff requests the hearing on the Pre-Trial Conference to be continued for sixty (60) to ninety (90) days or as the Court deems appropriate.

DATED: July 8, 2022


Janine Jasso
In Pro Per

DECLARATION OF JANINE JASSO

I , Janine Jasso, declare and state:

1. I am now, and at all relevant times mentioned herein am the Plaintiff and have been a homeowner, and Board Member of The Huntington Beach Gables Homeowners Association (“Association”). I currently serve as Vice President of the Board of Directors (“Board”).

2. I have personal knowledge of the facts stated herein and could and would testify to said facts if sworn as a witness in this proceeding.

3. This declaration is in support of the Motion to Continue the Pre-Trial Conference (the “Motion”).

4. On or about July 9, 2021, Jamie Lynn Gallian (“Debtor”) filed a voluntary petition under Chapter 7 of the Bankruptcy Code.

5. I timely filed a First Amended Complaint (the “Complaint”) in the above captioned adversary proceeding on November 16, 2021 (the “Adversary Proceeding”).

6. The Adversary Proceeding was commenced pursuant to Rules 7001(4) and (6) of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 523(a)(7) and (a)(2)(A) and 727(a)(3), (a)(4), and (a)(5).

7. On December 10, 2021, Debtor filed her answer to the Complaint [Docket No. 13].

8. On December 17, 2021, Debtor filed answers to the Complaint on behalf of the additional defendants, J-Sandcastle Co LLC and J-Pad, LLC.[Docket Nos. 15, 16, 17 and 18].

9. I have been doing discovery and am currently waiting for responses to discovery requests from government offices. I believe that the requested documents may be provided in the next few weeks.

10. I learned that the convicted Debtor was recently deposed by another creditor, Houser Bros Co. Per my declaration filed under Docket No. 21, I was unable to depose Debtor due to the fact that she is dangerous and restrained from all contact with me per several court-ordered restraining orders.

11. I need to obtain and review a copy of the deposition transcript from the Houser Bros v. Gallian adversary case, which will take some time.

12. I also learned that the Debtor has recently testified in other California Superior Court cases. I have requested discoverable documents from those cases and court-reporter's transcripts. I believe these relevant documents and transcripts will be provided to Plaintiff in the next four-five weeks.

13. The convicted Debtor has not filed any pre-trial conference statements.

I declare under penalty of perjury under the laws of the United States of America that all of the foregoing is true and correct.

Executed this 8th day of July 2022 at El Paso, Texas.


Jarine Jasso

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
7101 N. Mesa, Ste 355
El Paso, TX 79912

A true and correct copy of the foregoing document entitled (specify): Motion To Continue of Pre-Trial Conference and Other Dates will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 07/08/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See NEF for confirmation of electronic transmission to the U.S. trustee, any trustee in this case, and to any attorneys who received service by NEF.

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 07/08/22, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

DEBTOR AND DEFENDANT
JAMIE LYNN GALLIAN
16222 MONTEREY LANE, SPC 376
HUNTINGTON BEACH, CA 92649

DEFENDANT J-PAD, LLC
ROBERT L MCLELLAND, CEO
16222 MONTEREY LANE, SPC 376
HUNTINGTON BEACH, CA 92649

DEFENDANT J-SANDCASTLE CO LLC
RONALD J PIERPONT, CEO
16222 MONTEREY LANE, SPC 376
HUNTINGTON BEACH, CA 92649

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 07/08/22, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Erithe A. Smith, USBC, 411 West Fourth Street, Santa Ana, CA 92701 (SUSPENDED DUE TO COVID-19 PROTOCOLS)

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

7-08-2022
Date

David Jasso
Printed Name


Signature